

REMARKS

I. Status of the Claims:

Claims 1-44 are currently pending in the application. Claims 17-44 have been withdrawn. The Applicants wish to thank the Examiner for the indication of allowable subject matter with respect to claims 2-3 and 10-11.

By the Amendment, claims 1 and 5 have been amended, claims 3 and 9-44 have been canceled without prejudice or disclaimer, and new claim 45 has been added. No new matter is believed to have been added by this Amendment. Entry and consideration of these changes are respectfully requested.

Upon entry of this Amendment, claims 1, 2, 4-8 and 45 would be pending.

II. Rejections under 35 U.S.C. § 112, ¶2:

Claims 1-8 and 12 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter. To address the Examiner's concerns, claim 1 has been amended to delete the term "again" and, as amended, is believed to be definite. Further, claim 12 has been canceled without prejudice or disclaimer, thereby rendering the rejection of this claim moot.

In view of the foregoing, reconsideration and withdrawal of this rejection are respectfully requested.

III. Rejections under 35 U.S.C. § 102 & § 103:

Claims 1, 4-5, 7, 9, 12-13 and 15 are rejected under 35 U.S.C. § 102 (b) as being anticipated by Togino (US 6,222,676). Claims 8 and 16 are rejected under 35 U.S.C. § 102 (b)

as being anticipated by or in the alternative, under U.S.C. § 103 (a) as obvious over Togino et al.. Claims 6 and 14 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Togino et al., in view of Keiichi (JP 2001-281583).

Claim 1 has been amended to incorporate the allowable subject matter of claim 3. Accordingly, claim 1 and its dependent claims are believed to be in allowable form.

Claims 9 and 12-16 have been canceled without prejudice or disclaimer, thereby rendering the rejection of these claims moot.

New claim 45 has been added and incorporates the subject matter of base claim 1 and the allowable subject matter of dependent claim 2. Accordingly, claim 45 is also believed to be in allowable form.

IV. Double-Patenting:

Claims 1, 7, 9 and 15 are rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1 and 5 of U.S. Patent No. 7,027,229 in view of Togino.

Claim 1 has been amended to incorporate the subject matter of dependent claim 3, which was not previously rejected on the ground of non-statutory obviousness-type double patenting. Thus, reconsideration and withdrawal of this rejection are respectfully requested.

Claims 9 and 15 has been canceled without prejudice or disclaimer, thereby rendering the rejection of this claim moot.

CONCLUSION

Based on the foregoing remarks, the Applicant respectfully requests reconsideration and withdrawal of the rejection of claims and allowance of this application.

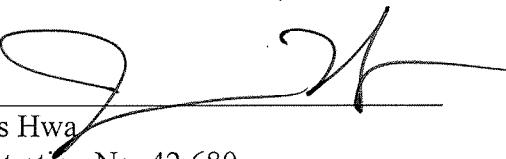
AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for timely consideration of this paper, or credit any overpayment to Deposit Account No. 13-4500, Order No. 1232-5377.

Respectfully submitted,
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